



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Bohm, Sebastian, *et al.*

Serial No.: 10/664,587

Filed: September 16, 2003

For: *METHOD AND APPARATUS FOR SORTING PARTICLES*

Attorney Docket No.: TGZ-021CP2

Group Art Unit: 3651

Examiner: Dillon, Jr., Joseph A.

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

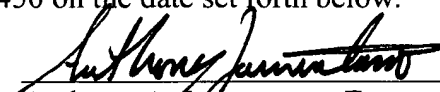
Certificate of First Class Mailing (37 CFR §1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date set forth below.

April 14, 2005

Date of Signature and of Mail Deposit

By:


Anthony A. Laurentano, Esq.
Registration No. 38,220
Attorney for Applicants

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicants and their Attorney are aware of the following patents, publications or other information, which are cited on the attached PTO Form SB/08 and in accordance with 37 CFR §1.97 hereby submit these publications for the Examiner's consideration.


The present application is a Continuation-in-Part of U.S. Serial No. 10/329,008, filed December 23, 2002 (Atty. Docket No. TGZ-021CP). All references listed on the enclosed

PTO Form SB/08 have been previously cited by or submitted to the Office and copies of the references are not enclosed, but will be provided upon request.

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, Applicants understand that the Examiner will make an independent evaluation of the cited publications.

In accordance with 37 CFR §1.97(c)(2) and §1.17(p), please charge the \$180.00 submission fee to our Deposit Order Account No. 12-0080. Please charge any necessary additional fees or credit any overpayments to our Deposit Order Account No. 12-0080.

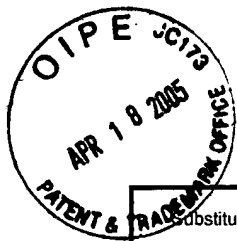
Respectfully submitted,
LAHIVE & COCKFIELD, LLP


Anthony A. Laurentano, Esq.
Registration No. 38,220
Attorney for Applicants

28 State Street
Boston, MA 02109
(617) 227-7400

Date: April 14, 2005

EAH/AAL/CMB/les
Enclosures



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/664,587
				Filing Date	September 16, 2003
				First Named Inventor	Bohm, Sebastian
				Art Unit	3651
				Examiner Name	Dillon, Jr., Joseph A.
Sheet	1	of	2	Attorney Docket Number	TGZ-021CP2

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A1	3,508,654	04-28-1970	Glaetli	
	A2	3,560,754	02-02-1971	Kamentsky	
	A3	3,984,307	10-05-1976	Kamentsky, <i>et al.</i>	
	A4	4,147,621	04-03-1979	Giddings	
	A5	4,175,662	11-27-1979	Zold	
	A6	4,526,276	07-02-1985	Shoor, <i>et al.</i>	
	A7	4,554,427	11-19-1985	Flick, <i>et al.</i>	
	A8	4,756,427	07-12-1988	Gohde, <i>et al.</i>	
	A9	4,936,465	06-26-1990	Zold	
	A10	5,030,002	07-09-1991	North, Jr.	
	A11	5,101,978	04-07-1992	Marcus	
	A12	5,275,787	01-04-1994	Yuguchi, <i>et al.</i>	
	A13	5,395,588	03-07-1995	North, Jr., <i>et al.</i>	
	A14	5,783,446	07-21-1998	Saul, <i>et al.</i>	
	A15	5,837,200	11-17-1998	Diessel, <i>et al.</i>	
	A16	5,976,336	11-02-1999	Dubrow, <i>et al.</i>	
	A17	5,998,212	12-07-1999	Corio, <i>et al.</i>	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

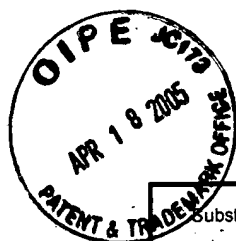
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/664,587
				Filing Date	September 16, 2003
				First Named Inventor	Bohm, Sebastian
				Art Unit	3651
				Examiner Name	Dillon, Jr., Joseph A.
				Attorney Docket Number	TGZ-021CP2
Sheet	2	of	2		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	B1	6,120,666	09-19-2000	Jacobson, <i>et al.</i>	
	B2	6,145,247	11-14-2000	McKinnis	
	B3	6,221,654 B1	04-24-2001	Quake, <i>et al.</i>	
	B4	6,432,630 B1	08-13-2002	Blankenstein	
	B5	2003/0027225 A1	02-06-2003	Wada, <i>et al.</i>	
	B6	6,524,790 B1	02-25-2003	Kopf-Sill, <i>et al.</i>	
	B7	6,592,821 B1	07-15-2003	Wada, <i>et al.</i>	
	B8	6,597,438 B1	07-22-2003	Cabuz, <i>et al.</i>	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--



LAHIVE
&
COCKFIELD
L L P

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
www.lahive.com

JOHN A. LAHIVE, JR. (1928-1997)
THOMAS V. SMURZYNSKI
GIULIO A. DeCONTI, JR.
ELIZABETH A. HANLEY
AMY BAKER MANDRAGOURAS
ANTHONY A. LAURENTANO
KEVIN J. CANNING
JANE E. REMILLARD
DeANN FORAN SMITH
DEBRA J. MILASINCIC, Ph.D.
MEGAN E. WILLIAMS, Ph.D.
WILLIAM A. SCOFIELD, JR.
SIBLEY P. REPPERT
JOHN D. LANZA
DAVID R. BURNS
JOHN S. CURRAN
SEAN D. DETWEILER
HATHAWAY P. RUSSELL *
MARIA LACCOTRIPE ZACHARAKIS, Ph.D.

DANIELLE L. HERRITT
EUIHOON LEE **
MANEESH GULATI
CYNTHIA M. SOROOS
PETER W. DINI, Ph.D.
MICHAEL J. BASTIAN, Ph.D.
CHRISTOPHER J. McKENNA
VINCENT P. LOCCISANO
JAMES M. McKENZIE
CYNTHIA M. GILBERT
LEIGH J. MARTINSON
JILL R. GORNY

SENIOR COUNSEL
JAMES E. COCKFIELD

OF COUNSEL
JEREMIAH LYNCH
JEANNE M. DiGIORGIO
CYNTHIA L. KANIK, Ph.D.

PATENT AGENTS
JONATHAN M. SPARKS, Ph.D.
CRISTIN E. HOWLEY, Ph.D.
JILL ANN MELLO, Ph.D.
CHRISTOPHER E. DRABIK
JAMES H. VELEMA
JACOB G. WEINTRAUB
BRIAN C. TRINQUE, Ph.D.

TECHNICAL SPECIALISTS
CATHERINE M. BISHOP
DEBORAH L. NAGLE, Ph.D.
ANNE JACQUELINE WIZEMAN, Ph.D.
CHRISTOPHER R. COWLES, Ph.D.
W. ELANA WANG
MEAGHAN L. RICHMOND, Ph.D.

* Admitted in TX only
** Admitted in CT only

April 14, 2005

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Re: U.S. Patent Application No.: 10/664,587
For: *METHOD AND APPARATUS FOR SORTING PARTICLES*
Inventors: Bohm, Sebastian, *et al.*
Filed: September 16, 2003
Our Ref. No.: TGZ-021CP2

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Information Disclosure Statement;
2. PTO Form SB/08; and
3. A Return Postcard.

Please charge the necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.


I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

April 14, 2005

Date

Anthony A. Laurentano, Esq. Registration No. 38,220

Respectfully submitted,
LAHIVE & COCKFIELD, LLP


Anthony A. Laurentano, Esq.
Registration No. 38,220
Attorney for Applicants